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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/505,459

05/27/2005

Arno Bartsch

255863US3XPCT

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7590

03/21/2006

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EXAMINER

TRAN, DIEM T

ART UNIT

PAPER NUMBER

3748

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/505,459	BARTSCH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Diem Tran	3748	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                                     |

## DETAILED ACTION

### *Specification*

The disclosure is objected to because of the following informalities: the following headings of the specification are missing, such as:

*- Background of the Invention.*

*-Brief Summary of the Invention.*

*-Brief description of the drawing(s).*

-In the abstract, line 6, "et" should be changed to --and--. Appropriate corrections are required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

***Claims 1, 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Vincent et al. (DE 19933988).***

Regarding claim 1, Vincent discloses a method for regeneration a particulate filter (10) situated an exhaust line of an engine (1) of a motor vehicle, the method being of the type in which, from knowledge of the differential pressure  $\Delta P$  (12) at the ends said filter (10) and of the pressure  $P_{\text{upstream}}$  upstream from the said filter, the soot burden of the said filter is determined for the purpose of triggering combustion of the said soot, characterized that the pressure P

downstream from the said filter (10) is modeled and in that  $P_{upstream}$  is determined using the relationship  $P_{upstream} = \Delta P + P_{downstream}$  (see Figure 1, abstract).

Regarding claim 3, Vincent further discloses that a differential pressure sensor (12), as the sole pressure sensor, is mounted on the said particulate filter (10) (see Figure 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

***Claims 2, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent et al. (DE 19933988).***

Regarding claims 2, 4, Vincent discloses all the claimed limitations as discussed in claim 1 above; however, fails to disclose determining the said soot burden by means of the relationship of the Qvol using the claimed equation:

$\Delta P = f(Qvol, \text{mass of soot}), \text{ with:}$

$$Qvol = K \times (Q_{air} + \rho_{fuel} \times Q_{carb}) \times N \times T_{upstream} / P_{upstream},$$

where: K is a constant,

$Q_{air}$  denotes the mass flow measured by a flowmeter,

$\rho_{fuel}$  denotes the density of the diesel fuel,

$Q_{carb}$  denotes volumetric quantity diesel fuel injected into the said engine,

N denotes the speed (rpm) of the said engine, and

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$T_{upstream}$  denotes the absolute temperature measured upstream from the said filter.

One having ordinary skills in the art would have found such equations to be obvious since they appear to represent a standard mass flow equation. If Applicant has any evidence as to the novelty of the above equations he should submit such in response to this office action.

### *Conclusion*

Any inquiry concerning this communication from the examiner should be directed to Examiner Diem Tran whose telephone number is (571) 272-4866. The examiner can normally be reached on Monday -Friday from 8:30 a.m.- 6:00p.m.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion, can be reached on (571) 272-4859. The fax number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 800-786-9199 (toll-free).



Diem Tran  
Patent Examiner  
Art unit 3748

DT  
March 20, 2006



THOMAS DENION  
SUPERVISORY PATENT EXAMINER  
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